

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

THE NEW YORK RACING ASSOCIATION, INC.

Defendant.

Cr. 03-1295 (ADS)
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 13 2005 ★

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ORDER SEALING PART II OF MONITOR'S FINAL REPORT LONG ISLAND OFFICE

WHEREAS, the March 1, 2004 Order Appointing Monitor
("Order") provides that,

The Appointed Monitor shall, with the consent of the
Comptroller and the approval of the Court, have the
authority to file any portions of the report without
notice to NYRA, and to request that the Court seal any
such portion of such reports, to the extent the
Monitor reasonably believes it necessary to the
successful completion of any phase of the Monitorship.

Order at 4-5;

WHEREAS, Getnick & Getnick ("Monitor") has requested
that a portion of Monitor's Final Report, specifically, the
"Monitor's Final Report Part II - Sealed," plus exhibits, be
filed under seal without notice to NYRA ("Seal");

WHEREAS the Monitor has shown that it reasonably
believes that the Seal is necessary to the successful completion
of the Monitorship;

WHEREAS the Comptroller has consented to the Seal;

WHEREAS the United States Attorney's Office for the Eastern District of New York has consented to the Seal;

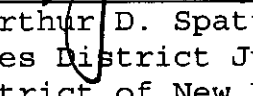
IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

1. The "Monitor's Final Report Part II - Sealed," shall be filed in camera and under seal.

2. The "Monitor's Final Report Part II - Sealed," shall remain under seal and shall not be unsealed and served upon NYRA until further Order of this Court.

IT IS SO ORDERED:

Dated: Central Islip, New York
September 13, 2005



Honorable Arthur D. Spatt
United States District Judge
Eastern District of New York